



U.S. Immigration  
and Customs  
Enforcement

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# News Release

## **LOCAL ATTORNEY, TWO CO-CONSPIRATORS INDICTED ON CHARGES OF ALIEN SMUGGLING, VISA FRAUD AND MONEY LAUNDERING** *ICE agents uncover international visa fraud scheme spanning to the People's Republic of China*

HOUSTON – A local immigration law firm employee pleaded guilty today to visa fraud and conspiring to file frivolous immigration petitions for Chinese nationals intending to enter the United States unlawfully, following an investigation by U.S. Immigration and Customs Enforcement (ICE).

Norman Chapa, 52, a United States citizen, appeared before U.S. District Judge Keith P. Ellison Friday and admitted taking part in a large international visa scam from May 1999 to January 2004 while he was employed at the Law Firm of Kenneth L. Rothey located at 6200 Savoy, and later at 7001 Corporate Dr.

Chapa described how he helped recruit Chinese national clients seeking immigration benefits that would allow them to work in the United States. Chapa, along with owner of Rothey Law Offices, Kenneth L. Rothey, 64; and employee Horacio Golfarini, 43, a permanent resident, paid local businesses between from \$10,000 to \$20,000 to control an interest in the company and then encourage the Chinese nationals to enter the U.S. as intra-company transferees, managers or executives. Golfarini was born in Uruguay and is also president of Capital Services Group.

A March 9 indictment was unsealed in April charging Rothey, Golfarini and Chapa, with visa fraud, money laundering and encouraging Chinese nationals to enter the United States unlawfully.

ICE and Internal Revenue Service (IRS) Criminal Investigation agents arrested Golfarini and Chapa April 26. Rothey is believed to be in China; efforts are underway to secure his return to the U.S.

All three defendants are charged with filing fictitious immigration petitions for Chinese nationals and for soliciting local businesses to sell actions or act as local petitioners to encourage these Chinese nationals to illegally enter the United States and seek employment.

ICE agents uncovered this international visa scheme. Rothery, Golfarini and Chapa purportedly employed these Chinese nationals at one of the eight businesses located in Houston. They acted as petitioners on behalf of the Chinese clients seeking to gain employment in the U.S. and ultimately adjust their immigration status in this country.

The defendants created the illusion that there was an affiliation between the Chinese-based company and the U.S.-based company. They completed fictitious immigration forms and sent them to the U.S. Citizenship and Immigration Service's (USCIS) Texas Service Center (TSC) for processing.

Once TSC saw the affiliation between the Chinese-based company and the U.S.-based company, the Chinese nationals were encouraged to enter the country with the help of Rothery and his co-conspirators. The transactions were supported by Golfarini and others to present these petitions as valid.

Rothery and Golfarini are both charged with nine counts of encouraging unlawful immigration and 12 counts of visa fraud. In addition, Rothery and Golfarini also are charged with a scheme that laundered the funds obtained from their Chinese national clients. According to the indictment, the money laundered involved \$267,000 in funds earned by their scams. The indictment included an additional eight counts for money laundering related to financial transactions that helped them conceal the source and nature of these funds.

"Anyone who exploits the vulnerabilities of our immigration system is a serious threat to our nation's security," said Bob Rutt, ICE Houston special agent-in-charge. "We will aggressively pursue anyone who circumvents the legal procedures in place for hiring foreign workers." Rutt heads the ICE Office of Investigations in the greater Houston and Corpus Christi area.

A fourth defendant, Ricardo Aguirre, 53, from Houston, was also charged with immigration fraud in August. Aguirre worked with Rothery and admitted he had paid U.S. business owners approximately \$20,000 each for creating fraudulent subsidiary relationships with Chinese companies in order to sponsor the employment-based petitions for his Chinese clients. He is scheduled to be sentenced June 6. If convicted, Aguirre faces up to 10 years in prison.

The money paid was part of down payments by a Chinese company to purchase a controlling interest in the U.S. based company, but the deals were never consummated. Rothery paid Aguirre and Golfarini a commission for each U.S.-based company successfully recruited into the scheme.

The remaining defendants face up to five years in prison and fines of up to \$250,000 for the immigration fraud conspiracy, up to 10 or 15 years for the visa fraud scheme, with fines of \$250,000 and up to 20 years imprisonment per visa fraud count and fines up to \$500,000. The government is seeking forfeiture of over \$490,000 in proceeds earned from the defendants' visa scam.

The Internal Revenue Service's Criminal Investigations Unit also assisted with this investigation.

# ICE #

*U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.*